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INTER-OFFICE CORRESPONDENCE

MEMORANDUM NO. 2020-115

TO: Charles F. Dodge, City Manager
Aner Gonzalez, Assistant City Manager

CC: Mike Stamm, Director of Planning and Economic Development
Joseph Yaciuk, Planning Administrator

FROM: Samuel S. Goren, City Attorney *SSG*
Shana H. Bridgeman, Assistant City Attorney SHB

DATE: July 9, 2020

RE: An Overview of Newly Enacted Legislation
House Bill 1339 – Community Development and Housing

This memorandum is intended to respond to staff's inquiries regarding the application of House Bill 1339 ("HB 1339") to the City's Affordable Housing Advisory Committee ("AHAC"). On May 26, 2020, HB 1339 was presented to Governor DeSantis for signature. The Governor signed the bill on June 9, 2020, and it is now Chapter 2020-27, Laws of Florida. The bill is effective as of July 1, 2020. HB 1339 proposes changes to community development zoning, impact fees, affordable housing, and mobile homes and parks.

With regard to staff's specific question about the AHAC, previously, the AHAC was required to meet triennially. HB 1339 amended s. 420.9076 F.S. to require **annual** meetings of the AHAC. The bill also amends s. 420.531, F.S., to establish biannual regional workshops for locally elected officials serving on affordable housing advisory committees as provided for SHIP in s. 420.9076, F.S.

S. 420.9076(2), F.S. provides as follows:

The local action adopted pursuant to s. 420.9072 which creates the advisory committee and appoints the advisory committee members must name at least 8 but not more than 11 committee members and specify their terms. **Effective October 1, 2020, the committee must consist of one locally elected official from each county or municipality participating in the State Housing Initiatives Partnership Program and one representative from at least six of the categories below:**

- a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- c) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- e) A citizen who is actively engaged as a for-profit provider of affordable housing.
- f) A citizen who is actively engaged as a not-for-profit provider of affordable housing.
- g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.
- h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.
- i) A citizen who resides within the jurisdiction of the local governing body making the appointments.
- j) A citizen who represents employers within the jurisdiction.
- k) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

Section 420.531, F.S., directs Florida Housing to operate the Affordable Housing Catalyst Program to provide specialized technical support to local governments. Workshops must be conducted through teleconferencing or other technological means and must keep attendance records of locally elected officials who attend. Thus the training is not conducted by the City or City staff.

Given these changes to the statutory requirements of the AHAC, there are revisions to the City's ordinance which may be necessary to comply with HB 1339. The Commission will also have to designate a member to serve on the AHAC. The City Attorney's Office is available to meet with staff to discuss implementation of these measures, including revising the City's ordinance. Please do not hesitate to contact our office.

Enclosure: HB 1339

SHB